

**MINNESOTA BOARD OF MEDICAL PRACTICE  
BOARD MEETING  
2829 UNIVERSITY AVE. SE  
MINNEAPOLIS, MN 55414-3246**

**JANUARY 12, 2008**

The Minnesota Board of Medical Practice met on its regularly scheduled meeting date, January 12, 2008, at its offices in Minneapolis, Minnesota.

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Linda Van Etta, President, Carl Smith, M.D., President, Rebecca Hafner-Fogarty, M.D., MBA, Allen Rasmussen, Secretary, Steven Altchuler, Ph.D., M.D., Alfred Anderson, M.D., D.C., Bradley Johnson, M.D., Kelli Johnson, Ernest Lampe, II, M.D., James Langland, M.D., Tammy McGee, James Mona, D.O., Gregory Snyder, M.D., and Jon Thomas, M.D., MBA

**PUBLIC SESSION**

Roll call was recorded by Robert Leach, Executive Director.

The minutes of the November 10, 2007, Board meeting were received and approved as circulated.

Linda Van Etta, M.D., President of the Board, presented the Draft Report of the Federation of State Medical Boards' Special Committee on Maintenance of Licensure.

Dr. Van Etta explained that in 2003 the Federation of State Medical Boards (FSMB) convened a Special Committee on Maintenance of Licensure. The committee developed a position statement on the role of state medical boards in ensuring physician competency. In November, 2007, the committee issued its draft report and is seeking comments from state medical boards. The deadline for comments is January 31, 2008.

Dr. Van Etta stated that the Board's Continuing Competency and Maintenance of Licensure Taskforce reviewed the Federation's Draft Report and their comments have been noted.

Dr. Van Etta reviewed the Draft Report with board members.

After a lengthy board discussion, it was agreed upon that the following concerns will be brought forth to the Federation:

Request that the statement, found on page 3, item number 2 of the Draft Report “State medical boards should set standards for maintenance of licensure **and rely** on external parties to develop tools and resources for use by physicians in meeting those requirements,” revise to “**and may rely** on external parties to develop tools” so state Boards do not need to rely exclusively on external parties.

Steven Altchuler, Ph.D., M.D. Board Member, agreed to submit a paragraph to Mr. Leach that the implementation of maintenance of licensure will need to consider both the increase in quality that results as well as the costs incurred. Mr. Leach will forward this to the Federation with the board’s other concerns.

Question whether Maintenance of Competency is a solution in search of a problem. The only relevance to the board is the issue of physicians returning to clinical practice after time away (question what that time period may be).

The board agreed that physicians who have been away from clinical practice for x amount of time may need re-training. The board felt that the piece that was missing from the report was how does the board find resources for remediation for these licensees?

Consider the unintended consequences of initiating many of these requests at this time. Minnesota is currently facing a shortage of primary care physicians, particularly in rural areas. Will initiation of added requirements for re-licensure drive some individuals out of medicine and/or effect the decision of future physicians to even go into medicine?

If there is current evidence that Continue Medical Education (CME) requirements in re-licensure have validity, the board should concentrate its efforts in that direction.

Because many state boards are responsible for credentialing health care providers other than physicians, these issues should be applicable to all credentialed professionals.

Maintenance of Licensure/Maintenance of Competency issues may potentially add to the bureaucracy of medical regulation. There is a need to look at the positive and negative effects of implementation of these issues.

Maintenance of Competency issues should be addressed in an evolutionary, not revolutionary manner and phased in over a number of years/decades.

Board members expressed concern that the report’s recommendations will result in changes to the *Federation’s Essentials of a Modern Medical Practice Act* before there is ample time to engage in dialogue among all the member boards.

A motion was made and passed unanimously to request the Federation of State Medical Boards to provide the opportunity for discussion of the Draft Report at a one-half day plenary session at the Federation’s Annual meeting in May, 2008.

In the Draft Report, it states, in part, “In order to assure that physicians are demonstrating competence within their scope of practice, state medical boards should require licensees to report information about their practice as part of the licensure

renewal or registration process.” The board agrees with this and directed board staff to start collecting physician practice information. In addition, board staff should begin to collect data on physicians who are re-entering practice.

In the Draft Report, it states, in part, “To help prepare practitioners who either are thinking about taking a leave of absence or are considering returning to the clinical practice, state medical boards should proactively educate licensees about the issues associated with reentering clinical practice. For example, state medical boards could develop white paper providing guidance on issues like the importance of engaging in clinical practice, if even on a limited, part time basis, or seeking counsel from their insurance carriers prior to withdrawal from practice and when they are ready to reenter practice. State Medical boards could include such information with the initial license, in the board’s newsletter and on the board’s website.” The board thought this would be a good topic for a Board Newsletter.

Dr. Van Etta informed the board of the two presentations that will be made at the board’s February 6, 2008, Maintenance of Licensure Taskforce Meeting. The first will be made by Carol Clothier, from the Federation, who will review the Federation’s Draft Report and give a report of the Federation’s Physician Accountability for Physician Competence Summit that was held December 6-7, 2007. The second presentation will be given by the taskforce Chair, Dr. Van Etta on Statistics on Minnesota Physicians with Specialty Board Certifications. Dr. Van Etta reviewed this presentation with the Board. Discussion followed. Hard copies of the presentation were distributed to the board. The board requested that an electronic copy be sent out to them.

The board took a five minute break.

On recommendation of the Licensure Committee, physician applicants 1 – 114 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Licensure Committee, physician applicant 115 of the agenda was approved for Emeritus registration.

On recommendation of the Acupuncture Advisory Council, acupuncturist applicants 116 – 126 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Athletic Trainer Advisory Council, athletic trainer applicants 127 - 136 of the agenda were approved for registration subject to the receipt of verification documents.

On recommendation of the Physician Assistant Advisory Council, physician assistant applicants 137 - 153 of the agenda were approved for registration subject to the receipt of verification documents.

On recommendation of the Respiratory Care Practitioner Advisory Council, respiratory care practitioner applicants 154 – 161 and 162 – 167 pending approval in Executive Session of the agenda were approved for registration subject to the receipt of verification documents.

The minutes of the December 13, 2007, meeting of the Licensure Committee were received and approved as circulated.

Mr. Leach informed the Board that Jeff Whisler resigned as a public member of the Athletic Trainer's Advisory Council. The Board accepted Mr. Whisler's resignation.

A motion was made and passed unanimously to appoint the following members to the Athletic Trainer's Advisory Council:

Tom Kiff, athletic trainer member  
Kenji Sudoh, physician member  
Paul Niemuth, athletic trainer/physical therapist member

A motion was made and passed unanimously to (re)appoint the following members to the Acupuncture Advisory Council:

Emily Silkwood, acupuncturist member (reappoint)  
Evelyn Staus, public member (reappoint)  
Steven Collins, acupuncturist member (appoint)

A motion was made and passed unanimously to (re)appoint the following members to the Physician Assistant Advisory Council:

Jodi Nicholson, physician assistant member (appoint)  
Janice Rapheal, public member (reappoint)

Currently, there is no applicant for the vacant physician member seat on the Physician Assistant Advisory Council.

A motion was made and passed unanimously to reappoint the following members to the Respiratory Care Practitioner Advisory Council:

Alex Adams, respiratory care practitioner member  
Joe Buhain, respiratory care practitioner member  
Lois Chambers, public member

Mr. Leach presented the Executive Director's Report for the activities that have taken place on the Board since the November 10, 2007, Board meeting.

Mr. Leach informed the board that the Council of Health Boards met and submitted their report to the legislature on the proposed legislation submitted by the Athletic Trainer's regarding amendment to their practice act. Richard Auld, Ph.D., Assistant Executive Director, will monitor this legislation and keep the Board updated.

Mr. Leach reported that the Minnesota Health Licensing Boards co-sponsored a program on Just Culture training in October 2007. This was attended by four board members, Ernest Lampe, MD, Jon Thomas, MD, MBA, Tammy McGee and Allen Rasmussen. Ruth Martinez, Complaint Review Supervisor, is involved in scheduling a roundtable discussion among approximately 10-12 regulators who attended the Just Culture training to discuss how they apply Just Culture principles to their regulatory processes. This discussion is scheduled for January 24, 2008.

Dr. Van Etta informed Board members that the annual meeting of the Federation of State Medical Boards will be held May 1-3, 2008, in San Antonio, Texas and instructed the board on the reservation procedures.

Dr. Hafner asked the board to once again sponsor the Women's Networking Meeting. Motion was made and passed unanimously to support and finance the meeting of the Women's Networking Meeting that will be held at the Federation of State Medical Boards' Annual Meeting in May, 2008.

The Board approved the 2008 Board Committee appointments. They are as follows:

**January 1, 2008 – June 30, 2008**

**COMPLAINT REVIEW COMMITTEES**

A.

James Mona, DO, Chair  
Ernest Lampe, MD  
Kelli Johnson

B.

Carl Smith, MD, Chair  
Alfred Anderson, DC, MD  
Allen Rasmussen

**LICENSURE COMMITTEE**

Rebecca Hafner, MD, MBA, Chair  
Robert Brown, Ph.D.  
Brad Johnson, MD  
Gregory Snyder, MD  
James Langland, MD

**PUBLIC POLICY COMMITTEE**

Steven Altchuler, Ph.D., MD, Chair or replacement  
Jack Geller, Ph.D.  
Jon Thomas, MD, MBA  
Tammy McGee

**July 1, 2008 – December 31, 2008**

**COMPLAINT REVIEW COMMITTEES**

A.

James Mona, DO, Chair  
Ernest Lampe, MD  
Kelli Johnson

B.

Alfred Anderson, DC, MD, Chair  
James Langland, MD  
Allen Rasmussen

### LICENSURE COMMITTEE

Rebecca Hafner, MD, MBA, Chair  
Robert Brown, Ph.D.  
Brad Johnson, MD  
Gregory Snyder, MD  
Dr. Altchuler's Replacement

### PUBLIC POLICY COMMITTEE

Jon Thomas, MD, MBA, Chair  
Linda Van Etta, MD  
Jack Geller, Ph.D.  
Tammy McGee

Mr. Leach informed the board that the last Strategic Planning Meeting did not meet because there wasn't a quorum for the scheduled date. Because there probably will be a contested case on February 9, 2008, the board will not be able to meet at that time. It was decided that the date for the next Strategic Planning Meeting will be decided at a later time.

The Board was informed of one Corrective Action Agreements introduced since the last Board meeting.

End of Public Session.

## **EXECUTIVE SESSION**

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Jon Thomas, M.D, MBA, President, Carl Smith, M.D., Vice President, Steven Altchuler, Ph.D., M.D., Alfred Anderson, M.D., D.C., Robert Brown, Ph.D., Jack Geller, Ph.D., Bradley Johnson, M.D., Ernest Lampe, II, M.D., James Langland, M.D., James Mona, D.O., Allen Rasmussen, and Gregory Snyder, M.D.

### **DAVID ALLEN BECK, R.C.P.**

On recommendation of the Licensure Committee, the Stipulation and Order for reprimand and restricted registration signed by Mr. Beck was approved.

### **MICHAEL CENTRELLA, D.O.**

On recommendation of the Complaint Review Committee, the Stipulation and Order for restricted license was signed by Dr. Centrella was approved.

### **GARY L. HAGGERTY, R.C.P.**

On recommendation of the Licensure Committee, the Stipulation and Order for reprimand and restricted registration signed by Mr. Haggerty was approved.

### **TONY LEROY HIBBARD, R.C.P.**

On recommendation of the Complaint Review Committee, the Stipulation and Order for reprimand and restricted registration signed by Mr. Hibbard was approved.

### **MATTHIAS J. JORDAN, M.D.**

On recommendation of the Complaint Review Committee, the license of Dr. Jordan was reinstated. Dr. Alfred Anderson recused.

### **PENNY ANN KESSLER, R.C.P.**

On recommendation of the Complaint Review Committee, the Stipulation and Order for reprimand and restricted registration signed by Ms. Kessler was approved.

### **MICHAEL L. LASTINE, M.D.**

On recommendation of the Complaint Review Committee, the license of Dr. Lastine was reinstated.

### **HARRY J. REED, D.O.**

On recommendation of the Complaint Review Committee, the Stipulation and Order for suspended license was signed by Dr. Reed was approved.

### **NANCY ALICE SANDEEN, R.C.P.**

On recommendation of the Complaint Review Committee, the Stipulation and Order for reprimand and restricted registration signed by Ms. Sandeen was approved. Dr. James Mona recused.

### **TERRY L. TUSOW, R.C.P.**

On recommendation of the Complaint Review Committee, the registration Ms. Tusow of was reinstated.


**MICHAEL H. WIPF, M.D.**

On recommendation of the Complaint Review Committee, the license of Dr. Wipf was reinstated. Dr. Ernest Lampe, II, recused.

**BRIAN D. WOOTON, D.O.**

On recommendation of the Licensure Committee, the Stipulation and Order for reprimand and restricted License signed by Dr. Wooton was approved.

There being no further business, the meeting was adjourned.



Allen Rasmussen  
Secretary  
MN Board of Medical Practice

February 27, 2008  
Date